

01129-222337(JDB)

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

| | | |
|--|---|------------------------------|
| PHILLIP KEMPER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. |
| |) | 1:22-CV-02689-STA-jay |
| CITY OF JACKSON, TENNESSEE, |) | |
| JULIAN WISER, INDIVIDUALLY and IN |) | |
| HIS OFFICIAL CAPACITY AS CHIEF OF |) | |
| POLICE OF JACKSON, TENNESSEE and |) | |
| SCOTT CONGER, INDIVIDUALLY and IN |) | |
| HIS OFFICIAL CAPACITY AS MAYOR |) | |
| OF JACKSON, TENNESSEE |) | |
| |) | |
| Defendants. |) | |

DEFENDANTS JOINT MOTION FOR JUDGMENT ON THE PLEADINGS

Based on Rule 12(c) of the Federal Rules of Civil Procedure, Defendants City of Jackson, Tennessee, Julian Wiser, individually and in his official capacity as Chief of Police of Jackson, Tennessee, and Scott Conger, individually and in his official capacity as Mayor of Jackson, Tennessee (collectively “Defendants”), move for a judgment on the pleadings to dismiss Plaintiff’s claims against Defendants because Plaintiff failed to state a claim upon which relief can be granted. In support of this motion, Defendants rely upon the supporting memorandum filed contemporaneously herewith.

Respectfully submitted,

01129-222337(JDB)

RAINEY, KIZER, REVIERE & BELL, P.L.C.

By: s/ John D. Burleson
JOHN D. BURLESON, BPR NO. 010400
MATTHEW R. COURTNER, BPR NO. 029113
*Attorney for Defendants City of Jackson, Julian
Wiser, in his official capacity only, and Mayor
Conger in his official and individual capacity*
209 East Main Street
P. O. Box 1147
Jackson, TN 38302-1147
(731) 423-2414
jburlson@raineykizer.com
mcourtner@raineykizer.com

FLIPPIN COLLINS & HILL, PLLC

By: s/ Michael Hill with permission
MICHAEL HILL, BPR NO. 017409
*Attorney for Defendant Julian Wiser, in his
individual capacity*
P.O. Box 679
1066 S. Main Street
Milan, TN 38358-0679
(731) 686-8355
mh_fch@bellsouth.net

CERTIFICATE OF SERVICE

01129-222337(JDB)

I hereby certify that on this the 10th day of August, 2023, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing report, including the party below. All other parties will be served by facsimile, e-mail, or regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Clyde W. Keenan
Keenan Law & Consulting
6465 N. Quail Hollow, #200
Memphis, Tennessee 38120
Attorney for Plaintiff

Michael Hill
Flippin Collins & Hill, PLLC
P.O. Box 679
1066 S. Main Street
Milan, Tennessee 38358
Attorney for Defendant Julian Wiser in his individual

s/ John D. Burleson